

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

AFL-CIO



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Docket Management System
U.S. Department of Transportation
Room Plaza 410
400 Seventh Street SW
Washington, DC 20590-0001

RE: Docket No. FAA-2002-11666

Dear Sir or Madam:

Thank you for the opportunity to comment on the Final Rule requiring pilots to carry photo identification when exercising the privileges of a pilot certificate.

The International Brotherhood of Teamsters represents over 50,000 airline employees and over 1.4 million other American workers. Our Airline Division includes every class and craft in aviation, among them 18,000 pilots and flight attendants. The IBT views the promulgation of this Final Rule as an expedient, but only temporary solution to an extremely serious security vulnerability.

The FAA issued this rule, without public comment, in response to a petition by the Aircraft Owners and Pilots Association (AOPA). In their petition, AOPA argues a photo identification, as now defined in 61.3(a) (2) (i – vi), would meet the intent of both the Federal Aviation Administration Drug Enforcement Assistance Act of 1988 and that of the Aviation and Transportation Security Act of 2001(ATSA).

The DEA Act mandated modification of the airman certification system with the objective of assuring positive and verifiable identification of each person applying for or holding a pilot certificate. In response to this Congressional mandate, the FAA issued a Notice of Proposed Rulemaking on March 12, 1990 (55 FR 9270). The NPRM would have required a two-part certificate including an Airman Identity Card, which was to be non-forgable and would have contained a photograph, signature, address, and

identification number. The proposed airman certification system was never implemented, nor was final action taken on the NPRM, which has languished for more than 14 years.

After September 11, 2001, Congress passed ATSA on November 19, 2001. Section 126 of the Act, *Amendments to Airmen Registry Authority* amended Section 44703(g) of title 49, United States Code to authorize and direct the FAA Administrator “to work with State and local authorities, and other Federal agencies, to assist in the identification of individuals applying for or holding airmen certificates”.

The IBT disagrees with the AOPA that the Final Rule meets the intent of the DEA Act or ATSA with respect to assuring reliable verifiable identification of pilots or those seeking a pilot certificate. In discussing the rule change, the FAA acknowledges that, “The photo identification in most instances likely will be a driver’s license by a State, the District of Columbia, or a territory or possession of the United States” (67 FR 65859). Reliance on existing drivers licenses does not meet the test of assuring reliable identification of pilots (or passengers, for that matter.)

Counterfeit drivers licenses and/or fraudulently obtained, authentic drivers licenses are readily available to even the most unsophisticated minor seeking to circumvent age-restricted access to alcohol. There are thousands of Internet websites and other mechanisms by which an individual may obtain any manner of fraudulent identification, as well as other false documents such as advanced educational degrees, etc. It seems less than prudent to rely on an identification device, which can so be so readily forged and acquired, to safeguard our aviation system.

A drivers license does not provide a reliable and verifiable means of identification. As a result, the Final Rule as promulgated may provide a false sense of security. The Final Rule represents only a small first step in meeting the Congressional mandate of assuring positive and verifiable identification of pilots. The time to improve the airman registry system is long overdue. The time to upgrade all identification media in aviation is long overdue. This Final Rule can only be viewed as a stopgap measure. The FAA and TSA must quickly address these issues.

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The IBT Airline Division urges the FAA and the TSA to develop and require an up-to-date, fraud-resistant means of pilot identification. We further urge that such identification should be required of all persons employed in aviation as well as required of all passengers. The technology exists to provide reliable identification media. The FAA and TSA must act quickly to enhance this parameter of the aviation security system. Failure to act represents a very real security risk to our members, to the flying public, and to our country.

We appreciate the opportunity to comment on this Final Rule. We are committed to working with the FAA, the TSA, and with the aviation community to prevent future acts of terrorism.

Sincerely,

Don Treichler

Airline Division Director